



## **MEETING MINUTES**

### **MILPITAS PLANNING COMMISSION**

**April 10, 2019 7:00 PM**

#### **CITY HALL COUNCIL CHAMBERS**

**455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

#### **I. CALL MEETING TO ORDER**

**Chair Mandal** called the meeting to order at 7:02 P.M.

#### **II. ROLL CALL/ SEATING OF ALTERNATE**

**Present:** Chair Mandal, Vice Chair Ciardella, Mohsin, Morris, Alcorn, Chuan, Alternate Commissioner Chua

**Absent:** Commissioner Sandhu (excused)

**Staff:** Ned Thomas, Jessica Garner, Avery Stark, Heather Lee, Elizabeth Medina

#### **III. PLEDGE OF ALLEGIANCE**

**Commissioner Morris** led the Pledge of Allegiance.

#### **IV. CONFLICT OF INTEREST DECLARATION**

**City Attorney Heather Lee** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

Commissioner Alcorn stated that the project being presented is his place of employment and he will excuse himself for that agenda item.

Commissioner Chuan disclosed that he attends the church of where the project is located. However, he has consulted with the City Attorney and it is not a conflict of interest.

#### **V. APPROVAL OF AGENDA**

**Chair Mandal** asked if staff or Commissioners had changes to the agenda and there were none.

**Motion** to approve the April 10, 2019 agenda as submitted.

Motion/Second: Commissioner Mohsin/Commissioner Chua

AYES: 7

NOES: 0

ABSTAIN: 0

## VI. ANNOUNCEMENTS

**Planning Director Ned Thomas** provided departmental updates to the commission regarding:

- Items on upcoming agendas
- Annual presentation Capital Improvement Program (CIP) will be at next meeting (4/24)
- Legoland Discovery Center is coming to Great Mall
- Commissioners' Luncheon

**Commissioner Morris** asked about e-cigarettes getting on calendar for discussion. Mr. Thomas noted he can include it on a future agenda.

## VII. PUBLIC FORUM

**Chair Mandal** invited members of the audience to address the commission.

Frank DeSchmidt, former President of the Milpitas Rotary Club, invited public to attend Masquerade themed fundraiser for local Girl Scouts and Boy Scouts on April 27<sup>th</sup>.

## VIII. APPROVAL OF MEETING MINUTES

**Chair Mandal** called for approval of the February 27, 2019 and March 13, 2019 meeting minutes of the Planning Commission.

Commissioner Chua noted typo on March 13<sup>th</sup> attendance list; Commissioner Sandhu listed twice.

**Motion** to approve Planning Commission meeting minutes as amended.

Motion/Second: Commissioner Chua/Commissioner Mohsin

AYES: 7

NOES: 0

ABSTAIN: 0

## IX. PUBLIC HEARING

**VIII-1 FREESTANDING SIGN MODIFICATION AND VARIANCE – 1000 S PARK VICTORIA DRIVE – P-UA18-0017, P-VA19-0002:** A request for a Use Amendment Permit and Variance to add a new 8' – 3" technology cabinet to an existing freestanding sign base. The project is categorically exempt from further CEQA review pursuant to Section 15311 (Accessory Structures) and, as a separate and independent basis, Section 15183, of the CEQA Guidelines..

Project Planner Avery Stark showed a presentation and discussed the project.

Commissioner Morris asked if there was any community feedback (too bright, distractions, interfere with traffic, etc.). Mr. Stark noted there was comment via email from the public stating that the resident opposed of the neon sign. Ms. Morris asked why the Applicant was going so much bigger instead of just going brighter. Mr. Stark noted that the existing technology of current cabinet needs to be replaced and that is quite expensive for just the technology alone. Mr. Stark also mentioned that repairing the current sign would cost more than the new sign being presented tonight; with the new sign, Applicant would be able to showcase updated logo and

display messages to the community.

Commissioner Chuan asked if the email was the only public comment. Mr. Stark said it was the only comment received.

Chair Mandal asked if the illumination of the light would affect local residents in the neighborhoods or private residences and if a study was done. Mr. Stark noted that according to sign ordinance in the Municipal Code, the light or illumination cannot pass the outside the parcel boundaries; the illumines of the new sign would not reach outside of the parcel nor does the current sign.

Chua clarified if the use permit is to increase the height of sign to over 6 feet. Mr. Stark stated that the permit amendment is for the height, and the variance for the additional the square feet of new signage allowed. Ms. Chua asked are there signage in the area that are of similar size. Mr. Stark stated that across the street at a commercial corridor there are a number of business signs, also free standing and internally illuminated, a few taller and a few with the height of 5-7 feet.

Chair Mandal invited Applicant to podium. Applicant gives history the existing sign stating they are trying to get away from banners, as well as update technology. Chair Mandal questioned the width of the sign. Applicant clarified that the base of the sign will be the same width and will not extend into the sidewalk.

Commissioner Morris asked why the Applicant decided on the 15 foot sign, noting that it seems big in the area. The Applicant noted that the existing sign, including the banner, is taller than 15 feet; based on the current codes and linear feet, they would be able to go up to 15.4 feet. Ms. Morris still felt as though it is still big.

Commissioner Chuan asked how does the new sign's luminance compare to the current sign's luminance. Applicant stated that the current sign uses bulbs and glares; he also noted that there has never been any complaints of current sign, new sign with new technology would provide a lot less glare.

Planning Director, Ned Thomas clarified that is not a neon sign, as noted in comment from the public, but an electronically (LED) lit sign. Mr. Thomas also noted that proposed signage will use the same stone base, and total signage for this property will be reduced (mentioning there is another sign, on the other side of the church identifying church programs, that will removed and programs will be included in big sign).

**Chair Mandal** invited members of the audience to address the commission.

**Motion** to close the public hearing.

Motion/Second: Commissioner Morris/Vice Chair Ciardella

AYES: 6

NOES: 0

ABSTAIN: 1 (Alcorn)

**Motion** to consider and adopt Resolution No. 19-008 and approve Use Permit Amendment No. UA18-0017 and Variance No. VA19-0002 subject to the attached Conditions of Approval.

Motion/Second: Commissioner Chua/Commissioner Vice Chair Ciardella

AYES: 6

NOES: 0

ABSTAIN: 1 (Alcorn)

**X. NEW BUSINESS**

**NO ITEMS**

**XI. ADJOURNMENT**

The meeting was adjourned at 7:44 PM.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Mohsin/Commissioner Alcorn

AYES: 7

NOES: 0

*Meeting Minutes submitted by  
Planning Commission Secretary Elizabeth Medina*